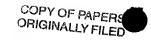
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On /-2-02

TOWNSEND and TOWNSEND and CREW LLP

By: Thusu Swenjord

Maisie C. Livengood

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Empedocles, et al.

Application No.: 09/784,645

Filed: February 15, 2001

For: MICROARRAY METHODS UTILIZING SEMICONDUCTOR

NANOCRYSTALS

Examiner:

Forman, Betty J.

Art Unit:

1655

RESPONSE TO RESTRICTION

**REQUIREMENT** 

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed November 29, 2001, Applicants elect to prosecute Group I which includes claims 1-26 and 40-43, without traverse. In response to the species election requirement, Applicants elect nucleic acids, without traverse. Claims from Group I that read upon the elected species include all claims in the group, except claims 16-18 and 24.

If the Examiner has any questions regarding Applicants' election, or if the Examiner believes a telephone conference would expedite prosecution of this application, please telephone

<u>PATENT</u>

Empedocles, et al. Application No.: 09/784,645 Page 2

the undersigned at 303-571-4000.

Respectfully submitted,

Scott L. Ausenhus Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834 Tel: (415) 576-0200 Fax: (415) 576-0300

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